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MCGUIREWOODS, LLP  
1750 TYSONS BLVD  
SUITE 1800  
MCLEAN, VA 22102

EXAMINER
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RAVETTI, DANTE

ART UNIT	PAPER NUMBER
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4194

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/591,169	<b>Applicant(s)</b> MACDONALD ET AL.	
	<b>Examiner</b> DANTE RAVETTI	<b>Art Unit</b> 4194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/30/2006 12/11/2006</u>                                      | 6) <input type="checkbox"/> Other: _____                          |

### **Detailed Action**

#### **STATUS OF CLAIM(s)**

1. This communication is in response to Application No. 10/591169, filed on 8/30/2006.
2. Claims 1-32 are currently pending and have been examined.
3. Claims 1-32 have been rejected.
4. **Examiner's Note**: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

### **Inventorship**

5. This application currently names joint inventors. In considering patentability of the claims under **35 U.S.C. §103(a)**, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under **37 C.F.R. §1.56** to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of **35 U.S.C. §103(c)** and potential **35 U.S.C. §102(e), (f) or (g)** prior art under **35 U.S.C. §103(a)**.

### **Information Disclosure Statement**

6. The information disclosure statement (IDS) submitted on 8/30/2006 and 12/11/2006. The submission is in compliance with the provisions of **37 C.F.R. §1.97**. Accordingly, the information disclosure statement is being considered by the examiner. An initialed copy of the **Form 1449** is enclosed herewith.

### **Claim Objections – 37 C.F. R. §1.75(c)**

7. **Claim 31 objected to** under **37 CFR §1.75(c)**, as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

**As to claim 31**, further comprising the at least one component to:

- (i) track the status of the one or more vouchers based on the unique identifier throughout the functional lifetime of the one or more vouchers; and
- (ii) provide educational training to organization members.

### **Claim Rejections – 35 U.S.C. §102**

8. The following is a quotation of the appropriate paragraphs of **35 U.S.C. §102** that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under §122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in §351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1 and 17 are rejected under 35 U.S.C. §102(e)** as being anticipated by Wiser et al., (U.S. Patent No.: 6,868,403) (U.S. 2005) ("Wiser" hereinafter, teaches a secure online music distribution system).

**As to claim 1**, Wiser discloses the invention as claimed, a method of fund raising, comprising the steps of:

- (i) providing a voucher for acquiring digital media content (see Wiser at least at col. 4., lines 54-67);
- (ii) sending a notification when the voucher is activated (see Wiser at least at col. 5, lines 4-19); and
- (iii) providing a download of the digital media content when the voucher is redeemed (see Wiser at least at col. 4, lines 54-67).

**As to claim 17**, Wiser discloses the invention as claimed, comprising at least one component to:

- (i) send a notification when a voucher is activated (see Wiser at least at col. 5, lines 4-19);
- (ii) account for the voucher activation (see Wiser at least at col. 18, lines 20-32; col. 20, lines 6-45); and
- (iii) authorize a download of the digital media content when the voucher is redeemed (see Wiser at least at col. 4, lines 54-67).

10. **Claims 11 and 25 are rejected** under **35 U.S.C. §102(e)** as being anticipated by Emoke Barbas et al. (PgPub.:2004/0254836) (U.S. 2004) ("Emoke" hereinafter, which teaches a method and system for distribution and management of electronic vouchers via carrier applications).

**As to claim 11, Emoke** discloses the invention as claimed, comprising the steps of:

- (i) providing one or more vouchers each having a unique identifier for redemption of digital media content (see Emoke at least at Abstract; page 2, par. [0021]);
- (ii) receiving an activation notice including the unique identifier for at least one of the vouchers (see Emoke at least at page 6, par. [0075]);
- (iii) checking that the at least one voucher is activated using the unique identifier when the voucher is presented for redemption (see Emoke at least at page 6, par. [0075]); and
- (iv) authorizing a download of the digital media for redemption of the at least one voucher when the checking step determines that the voucher is activated (see Emoke at least at page 6-7, par. [0077]-[0079]).

**As to claim 25, Emoke** discloses the invention as claimed, comprising at least one component to:

- (i) provide one or more vouchers each having a unique identifier for redemption of digital media content (see Emoke at least at Abstract; page 2, par. [0021]);
- (ii) receive an activation notice including the unique identifier for at least one of the vouchers (see Emoke at least at page 6, par. [0075]);
- (iii) check that the at least one of the vouchers is activated using the unique identifier when the at least one of the vouchers is presented for redemption (see Emoke at least at page 6, par. [0075]); and
- (iv) authorize a download of the digital media for redemption of the at least one of the vouchers when the checking step determines that the at least one of the vouchers is activated (see Emoke at least at page 6-7, par. [0077]-[0079]) .

### **Claim Rejections - 35 USC §103**

11. The following is a quotation of **35 U.S.C. §103(a)** which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in 35 U.S.C. §102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co.**, 383 U.S. 1,148 USPQ 459 (1966) that are applied for establishing a background for determining obviousness under **35 U.S.C. §103(a)** are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the difference between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or non obviousness.

This application currently names joint inventors. In considering patentability of the claims under **35 USC §103(a)**, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under **37 CFR §1.56** to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of **35 U.S.C. §103(c)** and potential **35 U.S.C. §103(e), (f) or (g)** prior art under **35 U.S.C. §193(a)**.

12. **Claims 2-7 and 18-23 are rejected** under **35 U.S.C. §103(a)** as being unpatentable over Wiser, and in view of Kontio et al.(PGPub No.: 2007/0112676) (U.S. 2007) ("Kontio" hereinafter, which teaches a system and method for advancing collections on unpaid debts).

**As to claim 2**, Wiser does not expressly disclose the invention as claimed, wherein the providing voucher step includes charging a fee for the voucher. However, Kontio discloses this limitation at least at page 30, par. [0312], [0316], [[0324]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wiser to include the feature of Konito. A voucher is a bond which is worth a certain **monetary value** and which may only be spent for specific reasons or on specific goods; therefore, providing a fee for it would be within normal business transactions. Therefore, sufficient rational exists to employ a fee with a voucher.

**As to claim 18**, Wiser does not expressly disclose the invention as claimed, wherein the at least one component to account for the voucher activation accounts for a fee received for the voucher. However, Kontio discloses this limitation at least at page 31, par. [0325], [0326], [0327], [0335], [0338]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wiser to include the feature of Kontio. In business, vouchers are usually submitted to the Accounting department for review and approval before being processed for payment. A voucher is an accounting document usually produced after receiving a vendor invoice, after the invoice is successfully matched to a Purchase Order. It represents an internal intent to make a payment to the vendor in the amount of the voucher. Therefore, sufficient



rational exists to employ a component to account for voucher activation.

**As to claim 3,** Wiser discloses the invention as claimed, wherein the providing a voucher step includes providing a voucher with a voucher identifier (see Wiser at least at col. 4, lines 54-67; col. 8, lines 19-41).

**As to claim 4,** Wiser discloses the invention as claimed, wherein the voucher identifier comprises at least any one of a printed number, an encoded identifier and identification of the digital media content (see Wiser at least at col. 8, lines 27-41).

**As to claim 6,** Wiser discloses the invention as claimed, further comprising the steps off:

- (i) activating the voucher after receiving payment for the voucher (see Wiser at least at col. 4, lines 63-67); and
- (ii) reporting the activation including an identifier of the voucher and the payment to a centralized accounting system (see Wiser at least at col. 18, lines 7-32).

**As to claim 7,** Wiser discloses the invention as claimed, wherein the providing a download comprises the steps of:

- (i) receiving an identifier of the voucher at an on-line retailer (see Wiser at least at col. 11, lines 10-15);
- (ii) validating that the voucher is activated based on the identifier (see Wiser at least at col. 4, lines 54-67; col. 5, lines 4-20; col. 12, lines 41-48); and
- (iii) downloading the digital media content to a media player when the voucher is activated (see Wiser at least at col. 8, lines 1-10; col. 11, lines 45-50).

**As to claim 19,** Wiser discloses the invention as claimed, wherein the at least one component to send the notification sends an identifier associated with the voucher (see Wiser at least at col. 5, lines 4-19).

**As to claim 20,** Wiser discloses the invention as claimed, wherein the identifier is at least any one of a printed number, an encoded identifier and an identification of

the digital media content (see Wiser at least at col. 8, lines 27-41).

**As to claim 22, Wiser** discloses the invention as claimed, further comprising the at least one component to:

- (i) activate the voucher after receiving payment for the voucher (see Wiser at least at col. 4, lines 63-67); and
- (ii) report the activation including an identifier of the voucher and the payment to centralized accounting system (see Wiser at least at col. 18, lines 7-32).

**As to claim 23, Wiser** discloses the invention as claimed, further comprising the at least one component to:

- (i) receive an identifier of the voucher at an on-line retailer (see Wiser at least at col. 11, lines 10-15);
- (ii) validate that the voucher is activated based on the identifier (see Wiser at col. 4, lines 54-67; col. 5, lines 4-20; col. 12, lines 41-48); and
- (iii) download the digital media content to a media player when the voucher is activated (see Wiser at least at col. 8, lines 1-10; col. 11, lines 45-50).

13. **Claims 5 are 21 rejected** under **35 U.S.C. §103(a)** as being unpatentable over Wiser, in view of Kontio, and in further view of Srivastava et al., (Patent No.: 7,320,009) (U.S. 2008) ("Srivastava" hereinafter, which teaches a method and system for file replication utilizing differences between versions of files).

**As to claim 5, Wiser and Konito** does not expressly disclose the invention as claimed, further comprising creating the voucher identifier by combining at least two partial identifier codes. However, Srivastava discloses this limitation at least at col. 3, lines 15-32. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wiser to include the feature of Srivastava. The use of partial identifier codes associated with vouchers is an effort to prevent their fraudulent use. The use of partial codes is an authentication method to ensure the proper use of

a voucher. Therefore, sufficient rational exists to employ the authentication method of partial code identifiers with the use of vouchers.

**As to claim 21,** Wiser and Konito does not expressly disclose the invention as claimed, wherein the identifier comprises a plurality of partial codes. However, Srivastava discloses this limitation at least at col. 3, lines 15-32. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wiser to include the feature of Srivastava. (see rationale and motivation from claim 5)

14. **Claim 8 is rejected** under **35 U.S.C. §103(a)** as being unpatentable over Wiser, In view of Konito, and in further view of Palmer (Patent Number: 5,195,135) (U.S. 1993) ("Palmer" hereinafter, which teaches a automatic multivariate censorship of audio-video programming by user selectable obscuration).

**As to claim 8,** Wiser and Konito does not expressly disclose the invention as claimed, further comprising filtering the digital media to exclude explicit media. However, Palmer discloses this limitation at least at Abstract, Col. 1, lines 8-40. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wiser to include the feature of Palmer. In the United States censorship of the Internet reared its head in 1996 with the Telecommunications Act. In the Telecommunications Act there is embedded in Title V a measure called the "Communications Decency Act" or CDA. The CDA limits "obscene, indecent and offensive material" on the Internet.[1] This act makes it illegal to distribute indecent

material to minors over the Internet or any other digital media. Therefore, sufficient rational exists to filter digital media to exclude explicit material.

15. **Claims 9, 10, 24 are rejected** under **35 U.S.C. §103(a)** as being unpatentable over Wiser, in view of Konito, and in further view of Walker et al. (Patent No.: 6, 330,544) (U.S. 2001) ("Walker" hereinafter, which teaches a system and process for issuing and managing forced redemption vouchers having alias account numbers).

**As to claim 9**, Wiser and Konito does not expressly disclose the invention as claimed, further comprising the steps of:

- (i) activating the voucher by establishing a phone call to an automated activation unit (see Walker at least at col. 17, lines 62-67); and
- (ii) providing an ID associated with the voucher (see Walker at least at Abstract; col. 4 lines 30-40).

However, Walker discloses these limitations at least at Abstract, Col. 1, lines 8-40. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wiser to include the feature of Walker. Allowing the consumer to activate their voucher, by phone, provides a convenient method for the user to do so. Therefore, sufficient rational exists to employ the use of activating a voucher by phone.

**As to claim 10**, Wiser and Konito does not expressly disclose the invention as claimed, further comprising the steps of:

- (i) distributing a notice that the voucher has been activated

However, Walker discloses this limitation at least at Abstract; col. 5, lines 29-36. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Wiser to include the feature of Walker. In business, it is important to notify the consumer of when proper activation of a voucher has occurred. Notification informs the user of the proper usability of their voucher. Therefore, sufficient rationale exist for businesses to employ some form of notification, when issuing vouchers to consumers.

**As to claim 24,** Wiser and Konito does not expressly disclose the invention as claimed, further comprising the at least one component to receive a telephone call for activating the voucher. However, Walker discloses this limitation at least at col. 17, lines 62-67. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wiser to include the feature of Walker. (use rationale and motivation from claim 9)

16. **Claims 12-16, 26-30 are rejected** under **35 U.S.C. §103(a)** as being unpatentable over Emoke, and in view of Wiser.

**As to claim 12,** Emoke does not expressly discloses the invention as claimed, further comprising the steps of:

- (i) receiving a payment for the activation and accounting for the payment on behalf of an entity associated with the voucher (see Wiser at least at col. 1 lines 15-30; col. 2, lines 51-65; col. 3, 23-34; col. 4, lines 54-67; col. 11, lines 9-62); and
- (ii) paying another entity when the download has occurred (see Wiser at least at col. 11, lines 50-62).

However, Wiser discloses this limitation at least at Abstract; col. 5, lines 29-36. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. It is important for business

that issues vouchers to maintain an accounting for them. And in the business which deals with digital rights, it is not uncommon for an entity to have to pay another entity for use of that digital right. Therefore, sufficient rational exists for business to keep an accounting of their vouchers and to pay another entity for the use of digital rights.

**As to claim 13,** Emoke does not expressly disclose the invention as claimed, further comprising the step of tracking the one or more vouchers using the identifiers so that the voucher is deactivated when redeemed preventing another redemption by the at least one voucher. However, Wiser discloses this limitation at least at col. 11, lines 50-62; col. 17, lines 20-34; col. 18, lines 20-32; col. 22, lines 4-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. For business that employ the use of vouchers it is important to keep an accounting of their use. It is necessary for business to determine when vouchers are active and deactivated, to prevent the fraudulent use of them. Therefore, sufficient rational exists for business to track their issued vouchers.

**As to claim 14,** Emoke does not expressly disclose the invention as claimed, wherein the providing step provides the one or more vouchers to one or more entities for fund raising and accounts for the provided one or more vouchers by entity and further comprises the steps of:

- (i) receiving a payment for sale of the provided one or more vouchers and accounting for the payment of the provided one or more vouchers on behalf of the one or more entities (see Wiser at least at col. 1, lines 15-30; col. 2, lines 51-65; col. 3, 23-34; col. 4, lines 54-67; col. 11, lines 9-62); and
- (ii) reimbursing the one or more entities for at least a portion of the payment according to the provided one or more vouchers to each of the one or more entities (see Wiser at least at col. 11, lines 50-62).

However, Wiser discloses this limitation at least at, as noted above. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. (see rationale and motivation from claim 12)

**As to claim 15, Emoke does not expressly disclose the invention as claimed, further comprising at least any one of the following steps:**

- (i) providing a report on voucher identifiers including activation status;
- (ii) providing a report on sales of the digital media content;
- (iii) providing an accounting spreadsheet;
- (iv) providing a report on sales for one or more digital media providers; and
- (v) providing a report of account balances for one or more entities selling the one or more vouchers (see Wiser at least at col. 9, lines 40-52; col. 10, lines 45-50, col. 11, lines 50-62).

However, Wiser discloses this limitation at least at col. 9, lines 40-52; col. 10, lines 45-50, col. 11, lines 50-62. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. In business, it is important to generate reports on the accounting of voucher activities. Reports are an important tool used in business to measure performance. Therefore, sufficient rational exists to employ the use of reports to measure voucher performance and activity.

**As to claim 16,** Emoke does not expressly disclose the invention as claimed, wherein the download of digital media content comprises downloading digital media content associated with the unique voucher identifier, the digital media content being at least any one of a video file, a music file, an animation file, a game file, an interactive file, a text file, a speech file. However, Wiser discloses this limitation at least at Abstract; col. 1, lines 52-67; col. 4, lines 54-67; col. 8, lines 19-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. In the business, where vouchers are used, it is important to associate with the voucher a unique identifier. The use of a unique identifier is necessary to aid in the prevention of fraudulent use of the voucher. Therefore, sufficient rationale exists to employ the use of a unique identifier associated with a voucher.

**As to claim 26,** Emoke does not expressly disclose the invention as claimed, further comprising the at least one component to:

- (i) receive a payment for the activation and accounting for the payment on behalf of an entity associated with the at least one of the vouchers (see Wiser at least at col. 1 lines 15-30; col. 2, lines 51-65; col. 3, lines 23-34; col. 4, lines 54-67; col. 11, lines 9-62); and
- (ii) pay another entity when the download has occurred (see Wiser at least at col. 11, lines 50-62).

However, Wiser discloses this limitation at least at, see above. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. (see claim 12 for rationale and motivation)



**As to claim 27,** Emoke does not expressly disclose the invention as claimed, further comprising at least one component to track the one or more vouchers using the unique identifier so that the at least one of the vouchers is deactivated when redeemed to prevent another redemption by the at least one of the vouchers. However, Wiser discloses this limitation at least at col. 11, lines 50-62; col. 17, lines 20-34; col. 18, lines 20-32; col. 22, lines 4-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. (see claim 13 for rationale and motivation)

**As to claim 28,** Emoke does not expressly disclose the invention as claimed, wherein the at least one component provides the one or more vouchers to one or more entities for fund raising and accounts for the provided one or more vouchers according to each of the one or 1 more entities, and further comprising the at least one component to:

- (i) receive a payment for sale of the provided one or more vouchers and to account for the payment of the provided one or more vouchers on behalf of the one or more entities (see Wiser at least at col. 1 lines 15-30; col. 2, lines 51-65; col. 3, 23-34; col. 4, lines 54-67; col. 11, lines 9-62); and
- (ii) reimburse the one or more entities for at least a portion of the payment according to the provided one or more vouchers to each of the one or more entities (see Wiser at least at col. 11, lines 50-62).

However, Wiser discloses these limitations at least at, see above. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. (see claim 12 for rationale and motivation)

**As to claim 29, Emoke** does not expressly disclose the invention as claimed, further comprising at least any one of:

- (i) the at least one component to provide a report on any voucher identifier including activation status;
- (ii) the at least one component to provide a report on sales of the digital media content;
- (iii) the at least one component to provide an accounting spreadsheet;
- (iv) the at least one component to provide a report on sales for one or more digital media providers; and
- (v) the at least one component to provide a report of account balances for one or more entities selling the one or more vouchers (see Wiser at least at col. 9, lines 40-52; col. 10, lines 45-50, col. 11, lines 50-62).

However, Wiser discloses these limitations at least at, see above. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. (see claim 15 for rationale and motivation)

**As to claim 30, Emoke** does not expressly disclose the invention as claimed, wherein the download of digital media content comprises the at least one component to download digital media content associated with the unique voucher identifier, the digital media content being at least any one of a video file, a music file, an animation file, a game file, an interactive file, a text file, a speech file. However, Wiser discloses these limitations at least at Abstract; col. 1, lines 52-67; col. 4, lines 54-67; col. 8, lines 19-41. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. (see claim 16 for rationale and motivation)

17. **Claim 31 is rejected** under **35 U.S.C. §103(a)** as being unpatentable over Emoke, in view of Wiser, and in further view of Grosvenor (PgPub.: 2005/0108031) (U.S. 2005) ("Grosvenor" hereinafter, which teaches a method and system for transmitting, selling and brokering educational content in streamed video form)

**As to claim 31**, Emoke does not expressly disclose the invention as claimed, further comprising the at least one component to:

- (i) track the status of the one or more vouchers based on the unique identifier throughout the functional lifetime of the one or more vouchers (see Wiser at least at col. 11, lines 50-62; col. 17, lines 20-34; col. 18, lines 20-32; col. 22, lines 4-17); and

However, Wiser discloses this limitation at least at col. 11, lines 50-62; col. 17, lines 20-34; col. 18, lines 20-32; col. 22, lines 4-17. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Wiser. (see claim 13 for rationale and motivation)

Emoke and Wiser does not expressly disclose this limitation

- (ii) provide educational training to organization members (see Grosvenor at least at page 1, par. [0009]).

However, Grosvenor teaches this limitation at page 1, par. [0009]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke and Wiser to include the feature of Grosvenor. In business, it is important to educate and train their organization members. Therefore, sufficient rational exists to employ the use of educating and training their members.

19. **Claim 32 is rejected** under **35 U.S.C. §103(a)** as being unpatentable over Emoke, in view of Wiser, and in further view of Walker.

**As to claim 32,** Emoke does not expressly disclose the invention as claimed, wherein the activation notice is achieved by one of an on-line activation and a telephone call activation. However, Walker discloses this limitation at least at col. 17, lines 62-67. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Emoke to include the feature of Walker. (see claim 9 for rationale and motivation)

### **Conclusion**

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Keneaki (PGPub.: US 2004/0210482)(US 2004) which teaches a gift certificate, gift certificate, issuing system, gift certificate using system.
- Swenson (PGPub.: 2006/0032764)(US 2006) which teaches a gift card and recordable optical disk kit with matching artwork.
- Walker et al (PGPub.: US 2005/0182678)(US 2005) which teaches products and processes for vending machine gift certificates.
- Antonucci et al (PGpub.: 2003/0236712)(US 2003) which teaches a system and method for distributing vouchers
- Messner (Patent No.: 6,370,514)(US 2002) which teaches a method for marketing and redeeming vouchers for use in online purchases

Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Mr. Dante Ravetti** whose telephone number is **(571) 270-3609**. The examiner can normally be reached on Monday – Thursday 7:30am-5:00pm.

If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Charles Kyle** may be reached at **(571) 272-6746**. The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

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/Dante Ravetti/  
Examiner, Art Unit 4194  
Thursday, March 06, 2008

/Charles R. Kyle/

Supervisory Patent Examiner, Art Unit 4194

